

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

INDEMNITY INSURANCE COMPANY :
OF NORTH AMERICA :
a/s/o UNIONVILLE-CHADDS FORD :
SCHOOL DISTRICT :

v. :

ELECTROLUX HOME PRODUCTS, :
INC. :

CIVIL ACTION
NO. 10-4113

ORDER

AND NOW, this 6th day of December, 2011, upon consideration of Defendant Electrolux Home Products, Inc.'s Motion for Summary Judgment (ECF No. 17), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Count I of the Complaint is **DISMISSED**.
2. Defendant's Motion for Summary Judgment is **DENIED**.
3. Defendant's Motion for an Adverse Inference is **GRANTED**.

IT IS SO ORDERED.

BY THE COURT:



R. BARCLAY SURRICK, J.